

WRIT PETITION NO.287 OF 2003.

Shri Francisco Antonio Joao
de Philomeno Fernandes, son
of late Shri Abdonio
Candido Innocencio Fernandes and
of late Smt. Marta Flavia
Margarida de Maria Rodrigues
e Fernandes, aged 62 years old,
Social Worker, Resident
of House No.21 & 22,
Tarvolem, V.P. Siroda, Taluka
Ponda, South-Goa-Parliamentary
Constituency, Siroda, Goa 403 103. Petitioner.

Vs.

1. The Chief Officer,
Margao Municipal Council, Dr.
George Barreto Square,
Municipal Building, Margao,
Salcete.
2. The Deputy Collector &
Sub-Divisional Magistrate,
Collectorate Building,
4th Floor, Taluka Salcete,
Goa 403 601.
3. The Directorate of
Municipal Administration,
Collectorate Building,
Panaji, Goa 403 001.
4. The Asst. Director of
Road Transport Authority,
South District, Govt. of Goa,
Arlem, Salcete, Goa.
5. The Directorate of Transport
Authority, Government
of Goa State,
Junta House, Panaji, Goa 403 001.
6. The Chief Secretary to the
Govt. of Goa, Secretariat Building,
Panaji, Goa.
7. The President,
Madgaum Mini & Medium Bus Owners

Association, House No.185,
Arlem, V.P. Raia,
Salcete Taluka, Goa 403 720.

8. The Sub-Divisional Police
Officer, South Goa, Police
Complex Building, Margao,
Salcete, Goa. Opp. Prassa,
Dr. George Barreto Square. Respondents.

Petitioner in person.

Mr. S.D. Padiyar, Advocate for respondent No.1.

Mr. S.R. Rivonkar, Govt. Advocate for respondents
No.2, 4, 5, 6 and 8.

Mr. D. Moratgikar, Adv. for respondent No.7.

CORAM : F.I. REBELLO &
P.V. HARDAS, JJ.

DATE : JULY 28, 2003.

ORAL JUDGMENT: (Per REBELLO, J.)

Rule. The respondents waives service. Heard
forthwith.

2. The petitioner by the present petition
seeks relief against the respondents to permit the
Shiroda-Margao and Sanvordem-Shiroda-Margao mini buses
to come to the Margao Municipal Council Bus Stand,
opposite Town Police Station. The Dy. Collector and
S.D.M. Margao has filed an affidavit. In that
affidavit, it is set out that there is tremendous
increase in vehicular traffic in the City and with a
view to sort out the traffic congestion, various steps

have been taken. A special committee was set up in January, 2003 known as "Traffic Sub-Committee" to study the said problem. The said sub-committee consists of a member of Institute of Road Traffic & Education; the Town Planner; the Asst. Director of Transport; the Police Inspector Traffic Cell, Margao; member of MARG, a Non-Governmental Organization and the Dy. Collector of Margao. It is set out that the Committee met on various dates and on 12.4.2003, it was decided to stop first the long route buses, which are coming from outside the District from entering Margao City and using the old bus stand. It was decided in that meeting that instead of coming to Margao City, these buses could take halt at Kadamba Bus Stand, which is in operation for last more than 10 years. It is also set out in the said Affidavit that in the said meeting it was also decided to stop, in stages, other buses entering the city.

It is then set out that in compliance of the said decision taken by the sub-committee, the Police Inspector, Traffic Cell, Margao, who is controlling the traffic in the City, restrained the Shiroda-Margao buses entering the City from 1.5.2003. However, they were allowed to enter the City during morning hours from 9.00 to 9.30 a.m. in the afternoon from 1.00 to

3.30 p.m. and in the evening after 7.00 p.m. This liberty was given for the benefit of the school children and office people.

It is then set out that thereafter, another meeting of the Sub-Committee was held on 10.6.2003, wherein the issue of Shiroda- Margao buses was discussed and it was found that the said action is quite satisfactory. It was also decided in the said meeting to restrain the buses coming from Birla-Cortalim route from entering the City. A decision was also taken to set up new bus-stand towards the South of the City and to study the new ring-route to be ascertained for plying city buses in the City, connecting North and South Bus Stands. Various other decisions taken, have also been set out. It is then set out that the action was taken in pursuance of the decision taken by the Traffic Sub-Committee and in public interest.

3. From the averments as set out in the said affidavit, we are of the opinion that the decision has been taken based on the study report by the respondents and in public interest. This being policy decision, it is not for this Court to interfere with the said policy decision, considering what is set out

in the affidavit of Shri Dipak S. Desai.

In the light of that Rule is discharged. No
order as to costs.

F. I. REBELLO, J.

P.V. HARDAS, J.

ssm.